

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

VICTORINO GUERRERO, individually
and on behalf of all similarly situated
individuals,

Plaintiff,

v.

SPB HOSPITALITY LLC, et al.,

Defendant.

Case No. CV 23-9112 FMO (SKx)

ORDER DISMISSING ACTION

The complaint in the above-captioned case contains individual and class allegations, and although an answer has been filed, no substantive action has been taken in this matter. (See, generally, Dkt.). Now, the court is informed that the parties have settled and that plaintiff will dismiss the action without prejudice. (See Dkt. 14, Notice of Settlement).

Having reviewed the case file and determined that no prejudice to the class will result from the dismissal, IT IS ORDERED that the above-captioned action is hereby **dismissed** without prejudice. The dismissal shall be without costs and plaintiff shall retain the right, upon good cause shown within **30 days from the filing date of this Order**, to re-open the action if settlement is not consummated. The court retains full jurisdiction over this action and this Order shall not prejudice any party to this action. Failure to re-open or seek an extension of time to re-open the action by the deadline set forth above shall be deemed as consent by the parties to dismissal of

1 the action without prejudice. See Fed. R. Civ. P. 41(b); Link v. Wabash R.R. Co., 370 U.S. 626,
2 629-30, 82 S.Ct. 1386, 1388 (1962).

3 Dated this 28th day of February, 2024.

4 /s/

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6 Fernando M. Olguin
7 United States District Judge
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